

### REMARKS

The comments of the Applicant below are each preceded by related comments of the Examiner (in small, bold type).

**Claims 53-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakata et al. (US 6276772).**

**Regarding to claim 53: Sakata et al. discloses an apparatus comprising:  
droplet ejection devices (FIG. 1-2) each comprising an element (FIG. 1-2, element 1) to change a volume of a fluid chamber (FIG. 1-2, elements 3 and 6) of one of the droplet ejection devices, the element having an electrical capacitance (FIG. 5); and  
control circuitry to effect uniform velocities of droplets ejected from at least two different ones of the droplet ejection devices by providing respective charge voltages or charge currents to the volume changing elements to individually control a charge on each volume changing element (Abstract).**

Sakata does not describe and would not have made obvious ... for each droplet ejection device, the control circuitry provides the respective charge voltage or charge current by “selecting a first charging resistor associated with the droplet ejection device to charge the electrical capacitance at a first rate followed by selecting a second charging resistor associated with the droplet ejection device to charge the electrical capacitance at a second rate” before discharging the electrical capacitance, as recited in amended claim 53.

Sakata discloses using a charge control circuit 14a (see FIG. 6(a)) that includes a transistor Q1 that is rendered conductive when a piezoelectric element 1a is charged (col. 8, lines 6-9). Sakata does not disclose a charge control circuit that selects a first charging resistor to charge the piezoelectric element at a first rate followed by selecting a second charging resistor to charge the piezoelectric element at a second rate.

All of the dependent claims are patentable for at least the reasons for which the claims on which they depend are patentable.

Any circumstance in which the applicant has addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner. Any circumstance in which the applicant has made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims. Any

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circumstance in which the applicant has amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply \$460 for Petition for Extension of Time fee and any other charges or credits to deposit account 06-1050, referencing attorney docket no. 09991-042001.

Respectfully submitted,

Date: September 17, 2008\_\_\_\_\_

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